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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,463	09/15/2000	Charles Petrucci	9547-3	3649

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EXAMINER

OUELLETTE, JONATHAN P

ART UNIT PAPER NUMBER

3629

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/662,463

Applicant(s)

PETRUCCELLI ET AL.

Examiner

Jonathan Ouellette

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2005 and 23 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26, 28, 30 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26, 28, 30 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Request for Continued Examination

1. The Request filed on 6/23/2005 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/662,463 is acceptable and a RCE has been established. An action on the RCE follows.

Response to Amendment

2. Claims 27, 29, and 31 have been cancelled; therefore, Claims 1-26, 28, 30, and 32 are currently pending in application 09/662,463.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. **Claims 1-26, 28, 30, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taufique (WO 01/20518 A1) in view of Lauffer (US 6,223,165 B1), and further in view of DeLorme et al. (US 5,948,040).**
5. As per Claims 1, 8, 9, 13, and 20, Taufique discloses a method (system, computer-readable storage, device) for facilitating the distribution of information, comprising: [a

processor; a storage device in communication with the processor via a system bus, wherein the storage device, and a memory connected to the processor, the memory including an operating system for storing a program to control the operation of said processor, and a destination expert control module, wherein the processor is operative with the destination expert control module to:] communicating with a customer over a computer network having a expert server, wherein the expert server includes an answer database; identifying a plurality of experts, wherein the plurality of experts are in selective communication with the destination expert server (pg.6-8); receiving from the customer, a request comprising customer data and question data , wherein the request is received by the expert server; associating said customer data with said destination question data and storing said association in said answer database (*pg.5 and pg.8 - users are compensated/paid royalties when subsequent end users request and receive same solution; compensation process inherently must track associated question and user information together in database*); facilitating a selection, based on the request, of a expert from the plurality of experts, wherein the expert has particular knowledge about the subject matter; forwarding, by the expert server, the request to the expert (pg.6-8) to facilitate the expert to communicate with the customer to provide response to the request (pg.6-8 – Live Help).

6. Taufique discloses automatically retrieving from the answer database, without intervention by the expert, an answer to the customer request (pg.6-8 – Existing Expert Solution, Fig.1A).

7. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein each expert had a separate answer database which could be automatically searched and sent to end users upon request, in the system disclosed by Taufique. However, the system disclosed by Taufique, wherein all previously answered questions are gathered into one central database, would be an advancement on the claimed invention – allowing for the answers to be more concisely organized and searched.
8. Furthermore, Taufique fails to expressly disclose providing expert advice related to travel.
9. However, Lauffer discloses providing expert advice related to travel (C1 L19-27).
10. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included providing expert advice related to travel, as disclosed by Lauffer, in the system disclosed by Taufique, for the advantage of providing a method (system, computer-readable storage, device) for providing information, with the ability to increase system effectiveness and efficiency by providing expert based answers to a multitude of question types.
11. Finally Taufique and Lauffer fail to expressly disclose enabling an interactive session between the destination expert and the customer to facilitate the destination expert interactively processing travel reservation requests from the customer.
12. However, DeLorme teaches that both travel agencies (C2 L20-41) and online travel agencies (C3 L53-67) have offered an interactive session between the travel agent

(destination expert) and the customer to facilitate the travel agent (destination expert) interactively processing travel reservation requests from the customer.

13. Furthermore Delorme teaches an advancement on the claimed invention wherein the customer can process travel reservations through the Internet without the need for third party assistance (C3 L53-67).
14. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included enabling an interactive session between the destination expert and the customer to facilitate the destination expert interactively processing travel reservation requests from the customer as disclosed by DeLorme, in the system disclosed by Lauffer, in the system disclosed by Taufique, for the advantage of providing a method (system, computer-readable storage, device) for providing information, with the ability to increase system effectiveness and efficiency by providing follow-up service to coordinate with the offered expert advise.
15. As per Claims 2, 10, 14, and 21, Taufique, Lauffer, and Delorme fail to expressly disclose wherein facilitating selection of a destination expert comprises selecting a destination expert from among the plurality of experts, wherein the destination expert is located in the destination city or confirming that the destination expert is familiar with the destination.
16. However, Lauffer does disclose obtaining expert characteristics to include: details of expertise, address, and quality scores (Abstract, C1 L19-67, C2 L1-36).
17. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein determining a destination expert comprises

determining a destination expert of the plurality of experts, wherein the destination expert is located in the destination city or confirming that the destination expert is familiar with the destination, in the system disclosed by Lauffer, for the advantage of providing a method (system, computer-readable storage, device) for providing travel-related information, with the ability to increase quality service by ensuring the experts have the qualification necessary to offer correct advice.

18. As per Claims 3, 15, and 22, Taufique, Lauffer, and Delorme disclose wherein communicating with the customer over the computer network includes receiving a credit card number from the customer.
19. As per Claims 4, 16, and 23, Taufique, Lauffer, and Delorme fail to expressly disclose wherein the destination expert can communicate a response and wherein the destination expert response includes an offer to book reservations relating to the request.
20. However, official notice is given (and accepted by applicant – as indicated by lack of response in remarks received 3/2/04) that such reservation booking services were well known at the time the invention was made, and it would have been obvious to include such a booking service in the system disclosed by Lauffer, for the advantage of providing a method (system, computer-readable storage, device) for providing travel-related information, with the ability to increase customer satisfaction by completing the travel related inquiry by booking the travel related service.
21. As per Claims 5, 17, and 24, Taufique, Lauffer, and Delorme disclose receiving the destination expert response from the destination expert and forwarding the destination expert response to the customer.

22. As per Claims 6, 18, and 25, Taufique, Lauffer, and Delorme disclose facilitating a transaction with the customer, wherein the transaction relates to the request.
23. As per Claims 7, 19, and 26, Taufique, Lauffer, and Delorme disclose monitoring communications of the destination expert server.
24. As per Claim 11, Taufique, Lauffer, and Delorme disclose wherein the destination expert server is accessible to the customer via the Internet.
25. As per Claim 12, Taufique, Lauffer, and Delorme disclose wherein the plurality of experts is in selective communication with the destination expert server via electronic mail.
26. As per Claims 27, 29, and 31, Taufique, Lauffer, and Delorme disclose wherein the step of retrieving an answer from an answer database is performed automatically without intervention by the destination expert.

Response to Arguments


27. Applicant's arguments filed 6/3/2005, with respect to Claims 1-26, 28, 30, and 32, have been considered but not persuasive. The rejection will remain as Final based on the cited prior art.
28. All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the

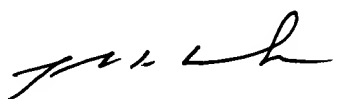
submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

29. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
30. The applicant has made the argument that the prior art fails to teach or suggest a request comprising customer data and question data, wherein the request is received by the expert server; associating said customer data with said destination question data and storing said association in said answer database.
31. However, Taufique does disclose wherein users are compensated/paid royalties when subsequent end users request and receive the same solution(s) (pg.5 and pg.8); and the compensation process must inherently track associated question and user information together in a database in order to successfully fulfill the user compensation system described by Taufique.

Conclusion

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
33. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.
34. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.


JO
August 26, 2005


JOHN G. WEISS
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